



Barrington Zoning Board of Adjustment Zoning Ordinance Variance and Special Exception Application Checklist

Please schedule a meeting with staff before submitting your application.

This checklist has been prepared to assist you in submitting a complete application to the Town of Barrington. At the Pre-Application meeting, staff will check off the items on this list that are required with your submission.

This document constitutes a public disclosure under RSA Chapter 91 – A, Access to Governmental Records and Meetings.

Date 4-28-21

Case No. 101-56-GR-21-ZBA0a

Owner Matthew Castonguay

Mailing Address 25 Estee Road Hampstead NH

Phone 1-978-807-6157

Email hampsteadlocalepicurean@gmail.com

PART I – GENERAL REQUIREMENTS

All Graphics shall be to Scale and Dimensioned

Description of Documents Required for Complete Application. No application shall be accepted without all items marked below.

Req'd	Rec'd
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- | | | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Zoning Board of Adjustment Application Checklist (<i>this form</i>) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. ZBA General Information (Article(s) and Section(s) of Ordinance) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. Appeal and Decision |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. Fees - \$150.00 Application <input type="checkbox"/>
\$ 75.00 Legal Notice <input type="checkbox"/>
\$ 7.00 per US Post Office Certified Letter <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5. Completed Project Application Form
<input checked="" type="checkbox"/> Variance <input type="checkbox"/> Special Exception <input type="checkbox"/> Appeal |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6. Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 7. Project Narrative |

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- ☐ N/A ☐ 8. HOA Approval (*if applicable*)
- ☒ ☐ 9. Context or Locus Map (Show Surrounding Zoning Districts)
- ☒ ☐ 10. Existing Conditions Site Plan or Recorded Subdivision Plan to include well and septic location (may be found at Strafford County Registry of Deeds).
- ☒ ☐ 11. Existing Conditions Photo Exhibit (*See instruction page for submitting photos*)
Up to four photos may be shown per 8 1/2" X 11" page size
a. Show all existing structures on site
- ☒ ☐ 12. List of Certified Abutters (Include Applicant and all licensed professionals, i.e., engineer, architect, land surveyor, or soil scientist, whose seals are affixed to the plan, as well as any holder of a conservation or agricultural easement)
- ☒ ☐ 13. Mailing Labels (4 sets)

PART II – REQUIRED PLANS AND RELATED DATA
All Graphics and Plans Shall be to Scale and Dimensioned

- ☒ ☐ 1. Site Plan - ***Drawn and Stamped by Registered Land Surveyor***
a. 24" X 36" – 2 Copies
b. 11' X 17" – 6 Copy
c. 8 1/2 " X 11" – 1 Copy
- ☒ ☐ 2. Elevations: Show all sides of building and indicate building heights
a. 24" X 36" – 2 Copies
b. 11' X 17" – 6 Copy
c. 8 1/2 " X 11" – 1 Copy
- ☒ ☐ 3. Floor Plans
a. 24" X 36" – 2 Copies
b. 11' X 17" – 6 Copy
c. 8 1/2 " X 11" – 1 Copy
- ☒ ☐ 4. All drawings and any revised drawings must be submitted in PDF format
- ☐ N/A ☐ 5. OTHER: _____
- ☐ ☐ 6. Your Appointment Date and Time for Submitting the Complete Application is: _____

Barbara Duine
Staff Signature

5/10/2021
Date

Land Use Department
Town of Barrington; 137 Ramsdell Lane; Barrington, NH 03825
barrplan@metrocast.net Phone: 603.664.5798

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PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 101-S6-GR-21-ZBA Van

Project Name Long Shores Drive Variance

Location Address Long Shores Drive

Map and Lot Map 101, Lot 56

Zoning District (Include Overlay District if Applicable) General Residential

Property Details:

- ☒ Single Family Residential ☐ Multifamily Residential ☐ Manufactured Housing
☐ Commercial ☐ Mixed Use ☐ Agricultural ☐ Other

Use: Single family

Number of Buildings: 1 Height: less than 35'

Setbacks: Front 40' Back 30' Side 30' Side 30'

Description of Request

Cite the Section of the Zoning Ordinance you are requesting a Variance or Special Exception for.
If this is an Appeal from an Administrative Enforcement Order, Planning Board Decision, or Zoning Board of Adjustment Decision, please attach pertinent documentation:

Article 4 Dimensional Standards Table 2

Project Narrative: (Please type and attach a separate sheet of paper)

See attached.

Barrington Zoning Ordinance Requirements:

Minimum 40' front setback in the General Residential

Minimum 30' side setback in the General Residential

Request: (You may type and attach a separate sheet of paper)

Request relief to the front and side setbacks. See attached.

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PART IV – If this is a JUSTIFICATION FOR VARIANCE

The Zoning Board of Adjustment may not authorize a zoning ordinance variation unless ALL of the following criteria are met. Please provide evidence that the requested Variance complies by addressing the issues below.

- ☐ 1. Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law.

See attached

- ☐ 2. Granting the variance would be consistent with the spirit of the Ordinance.

See attached

- ☐ 3. Granting the variance will not result in diminution of surrounding property values.

See attached

- ☐ 4. Granting of the variance would do substantial justice.

See attached

- ☐ 5. Granting of the variance would not be contrary to the public interest.

See attached

PART V – If this is a JUSTIFICATION FOR SPECIAL EXCEPTION

Please provide evidence that the requested Special Exception complies by addressing the issues below.

- ☐ 1. No detriment to property values in the vicinity of the proposed development will result on account of: the location or scale of buildings, structures, parking areas, or other access ways; the emission of odors, smoke, gas, dust, noise, glare, heat, vibration, or other pollutants; or unsightly outdoor storage of equipment, vehicles, or other materials.
-
-

- ☐ 2. No hazard will be caused to the public or adjacent property on account of potential fire, explosion, or release of toxic materials.
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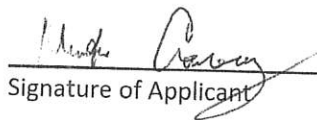
☐ 3. No creation of a traffic safety hazard or substantial traffic congestion will result in the vicinity of the proposed development.

☐ 4. No excessive demand on municipal services and facilities, including, but not limited to waste disposal, police and fire protection, and schools.

☐ 5. The proposed use will not result in the degradation of existing surface and groundwater quality standards, nor will it have adverse effects on the natural functions of wetlands on the site that would result in the loss of significant habitat or flood control protection.

In addition to the guiding principles specified above, the ZBA may condition the granting of a special exception upon more stringent standards if the Board determines that such conditions are necessary to protect the health and welfare of the town and its residents. Such conditions may include the following and should be addressed in the Narrative:

- ☐ 1. Front, side, or rear yards in excess of the minimum requirements of this Ordinance.
- ☐ 2. Screening of the premises from the street or adjacent property by walls, fences, or other devices.
- ☐ 3. Limitations on the size of buildings and other structures more stringent than minimum or maximum requirements of this Ordinance.
- ☐ 4. Limitations on the number of occupants and methods and times of operation.
- ☐ 5. Regulation of the design and location of access drives, sidewalks, and other traffic features.
- ☐ 6. Location and amount of parking and loading spaces in excess of existing standards.
- ☐ 7. Regulation of the number, size, and lighting of signs in excess of existing standards.


Signature of Applicant

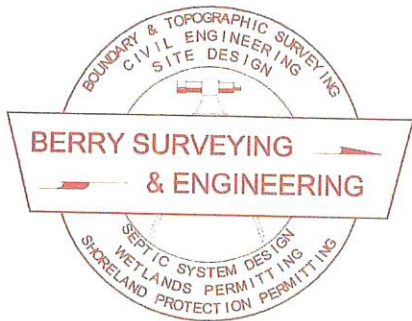
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Date

Signature of Owner

Date

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335 Second Crown Point Road

Barrington, NH 03825

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Fax: (603) 335-4623

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April 28, 2021

Barrington Planning Board

Attention: Marcia Gasses

PO Box 660

333 Calef Highway

Barrington, NH 03825

Re: Variance Application

Matthew Castonguay

Castonguay Ventures LLC

Tax Map 101, Lot 56

Single Family Home Development

Long Shores Drive

Chairperson, Members of the Barrington Zoning Board,

On behalf of Castonguay Ventures LLC, Berry Surveying and Engineering is submitting a variance request for the front and side setbacks in the General Residential zone.

Matthew Castonguay owns the parcel known as Map 101, Lot 56. The site is vacant and is mostly wooded. There is an existing ledge knob that sits in the middle of the parcel. A full topographic analysis was conducted for the parcel, as well as a full boundary survey.

The applicant is proposing to construct a single family home and septic on Map 101, Lot 56. The proposal is for a modestly sized home, constructed slab on grade and is proposed to be 32' wide and 28' deep. In addition there will be a front and side stoop which will likely require stairs. Given the location of the ledge and existing topography of the site, the house has to be placed within the front setback, approximately 21.2 feet of the road measured to the front stairs. This will limit overall disturbance of construction and prevent the need for blasting within ledge. Though this is a double lot, due to the size and the tapering shape a sideline setback variance is also required to allow for the overhangs on the proposed house and the side porch and steps. We have attempted to place the structure in the middle of the lot so that neither side is favored. Below are the criteria for a variance and our justification.

Article 4 Dimensional Standards Table 2, front setback of 40' within the general residential zone.

1. Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law.
The lot has two special conditions which make compliance with the ordinance not practical. The first is that it is a non-conforming lot of record created prior to the ordinance that happens to be substandard in width and oddly shaped. The second is the existing subsurface and exposed ledge on site. Literal enforcement

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of the Ordinance will result in unnecessary hardship on the applicant by requiring them to build the proposed house on or in an existing ledge knob. This would require blasting and greatly increase the overall disturbance of the site as well as the abutters. In review of the closest abutting structure, the proposed home is generally in line with the setback used on the abutting home.

2. Granting the variance would be consistent with the spirit of the Ordinance.
The spirit of the ordinance is to create a uniformity of rural nature within the town. Given this lot is pre-existing, non-conforming, and contains a ledge outcropping, it is our assessment that the spirit of the ordinance is observed with the proposals general adherence to the immediate neighborhood's uniformity.
3. Granting the variance will not result in diminution of surrounding property values.
Granting the variance will not result in diminution of surrounding property values. New residential construction increases surrounding property values and the proposed project will take an underutilized parcel and provide reasonable development for a use that is permitted in the underlying zone.
4. Granting the variance would do substantial justice.
Granting the variance would do substantial justice because it will allow the applicant to reasonably develop the lot with a use that's allowed in the zone. A modest sized home is proposed with the largest request for reduction being for the front stoop and steps. The proposed structure is to be 28' from the front boundary line. The benefit to the applicant far outweighs any potential detriment to the surrounding abutting land owners or neighborhood as a whole given the fact that many of the surrounding structure also do not meet the front setback.
5. Granting of the variance would not be contrary to the public interest.
Granting the variance would not be contrary to the public interest because it will allow for residential development within a residential zone that is congruent with abutting development on the same roadway. Given the special circumstances of the parcel, granting this variance will not erode the public interest within the zoning ordinance.

Article 4 Dimensional Standards Table 2, side setback of 30' within the general residential zone.

1. Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law.
The lot has a special conditions which make compliance with the ordinance not practical. This lot is a non-conforming lot of record created prior to the ordinance that happens to be substandard in width and oddly shaped. Due to this special condition the sideline setbacks cannot be met and the literal enforcement of the Ordinance will result in unnecessary hardship on the applicant by requiring the house to be constructed so narrow that the use and functionality would be severely be limited. Due to the existing ledge on site, a narrower, longer foot print is not practical on this particular parcel.



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2. Granting the variance would be consistent with the spirit of the Ordinance.
The spirit of the ordinance is to create a uniformity of rural nature within the town. Given this lot is pre-existing, non-conforming, and contains a ledge outcropping, it is our assessment that the spirit of the ordinance is observed with the proposals general adherence whereas it more nearly complies with the setbacks when compared to the closest abutting structure.
3. Granting the variance will not result in diminution of surrounding property values.
Granting the variance will not result in diminution of surrounding property values. New residential construction increases surrounding property values and the proposed project will take an underutilized parcel and provide reasonable development for a use that is permitted in the underlying zone.
4. Granting the variance would do substantial justice.
Granting the variance would do substantial justice because it will allow the applicant to reasonably develop the lot with a use that's allowed in the zone. A modest sized home is proposed with the largest request for reduction being for the side stoop and steps. The proposed structure is to be 28.8' from the closest sideline boundary line. The benefit to the applicant far outweighs any potential detriment to the surrounding abutting land owners or neighborhood as a whole given the fact that many of the surrounding structure also do not meet the setbacks prescribed in the ordinance.
5. Granting of the variance would not be contrary to the public interest.
Granting the variance would not be contrary to the public interest because it will allow for residential development within a residential zone that is congruent with abutting development on the same roadway. Given the special circumstances of the parcel, granting this variance will not erode the public interest within the zoning ordinance.

Please let us know if you have further questions.

BERRY SURVEYING & ENGINEERING


Christopher R. Berry – Project Manager
Principal, President

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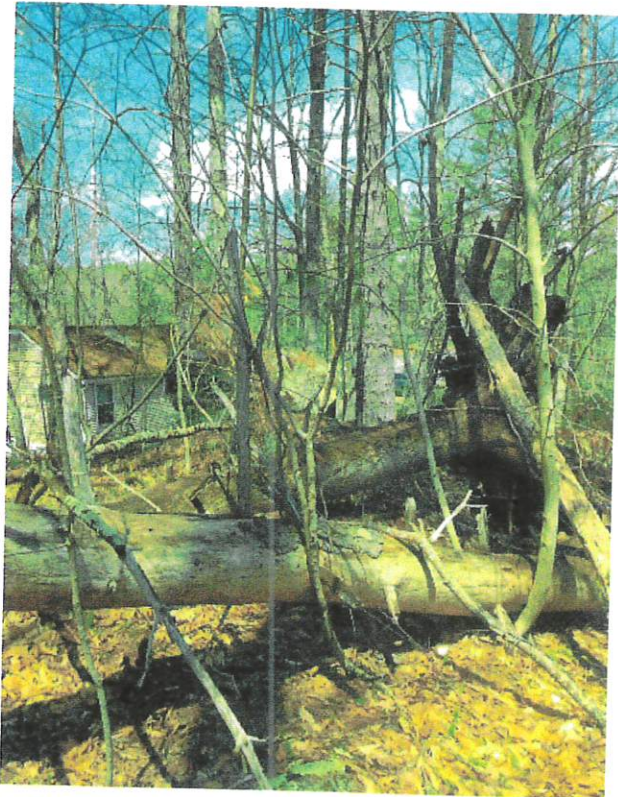


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Picture 1

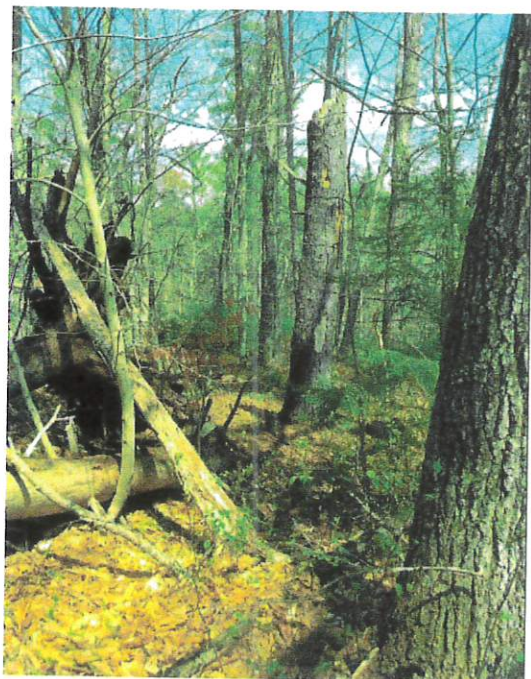


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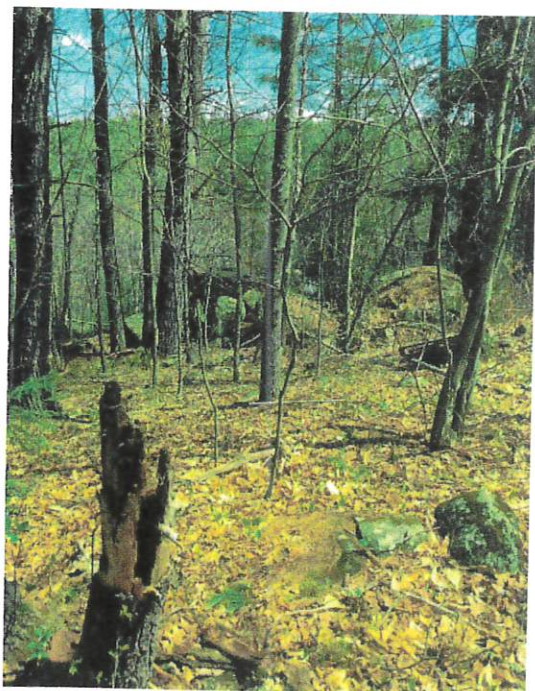


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Picture 3



Picture 4

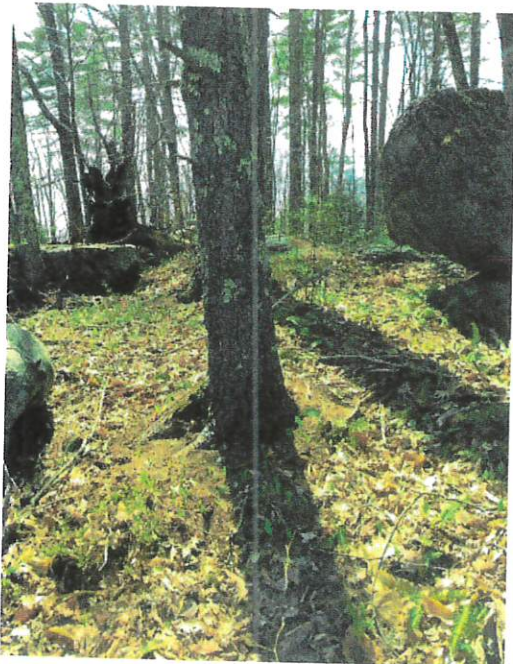


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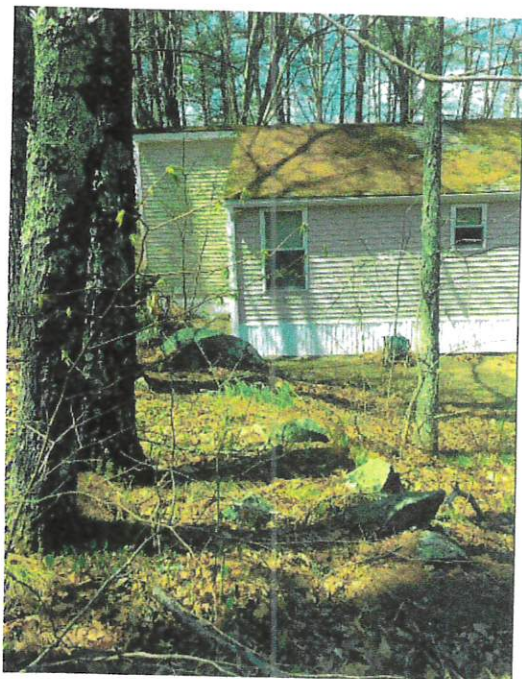


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Picture 5



Picture 6

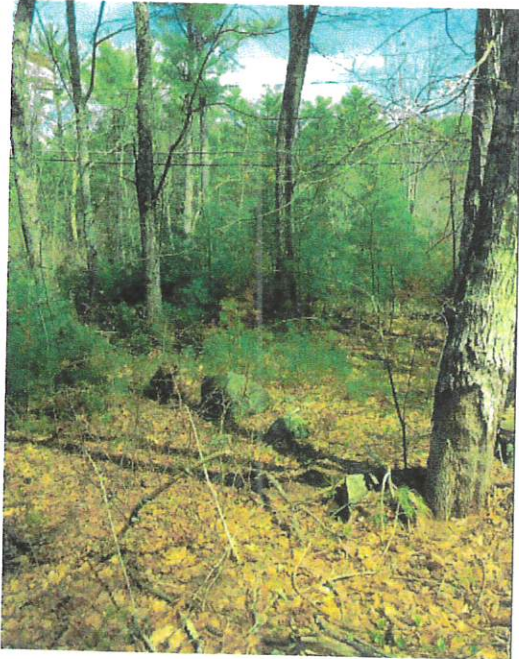


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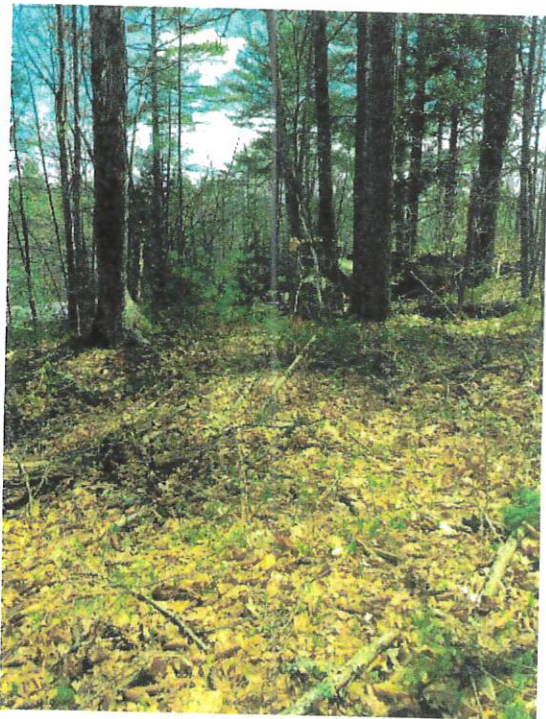
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Picture 7



Picture 8

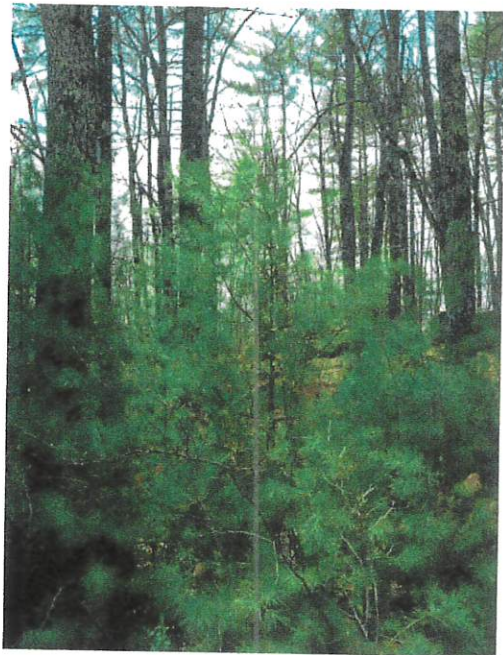


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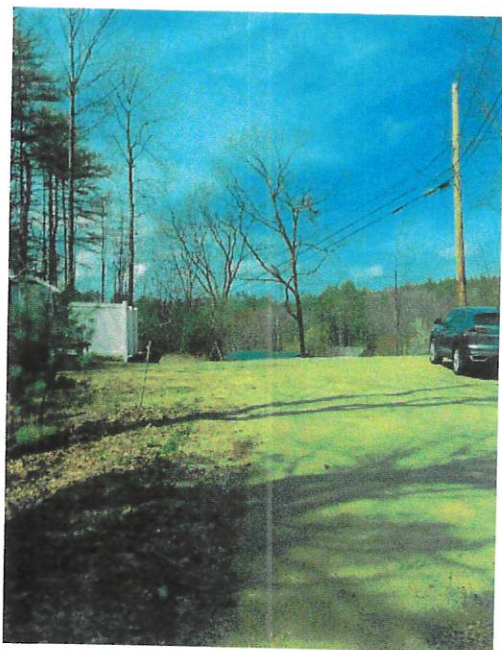


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Picture 9



Picture 10

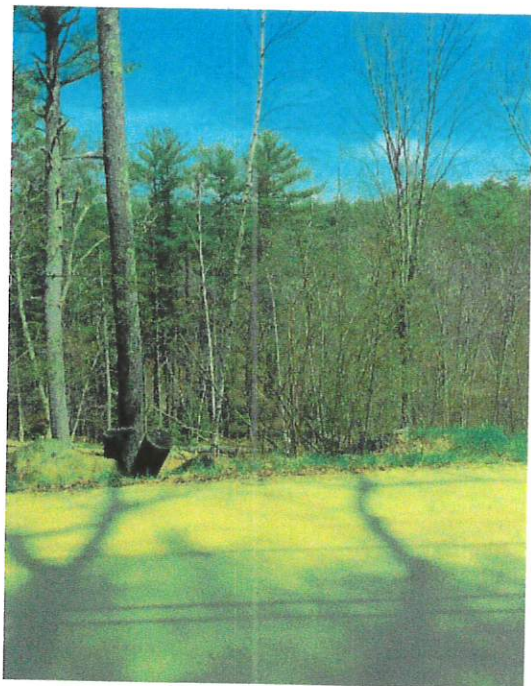


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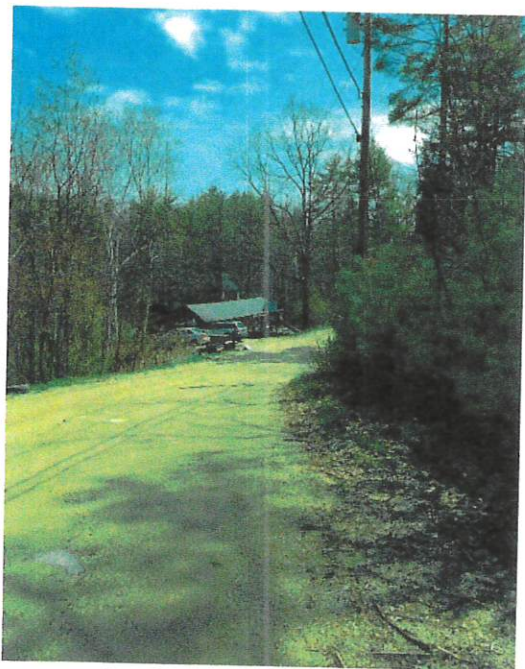
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Picture 11



Picture 12

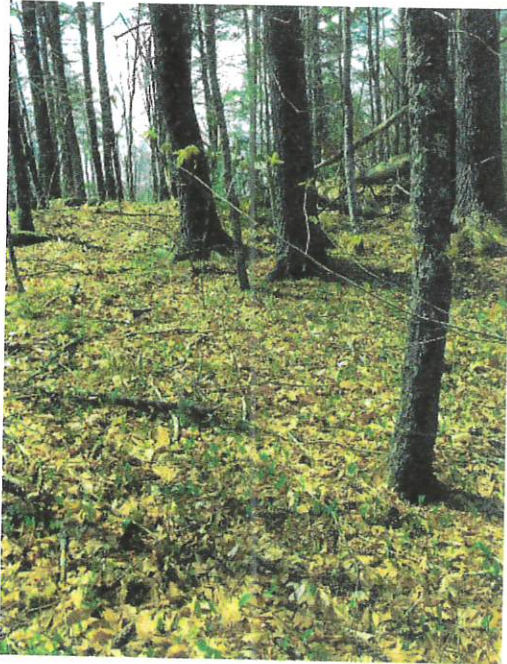


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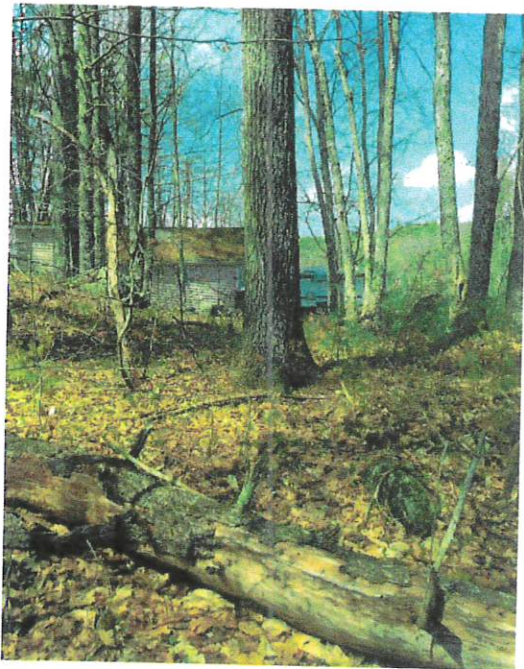
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Picture 13



Picture 14

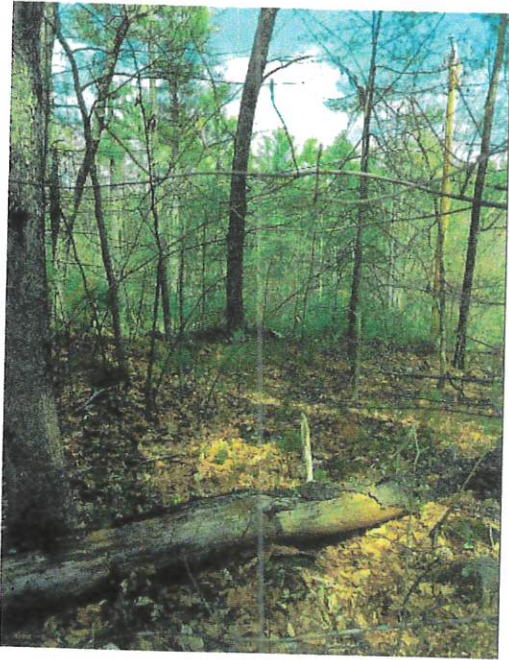


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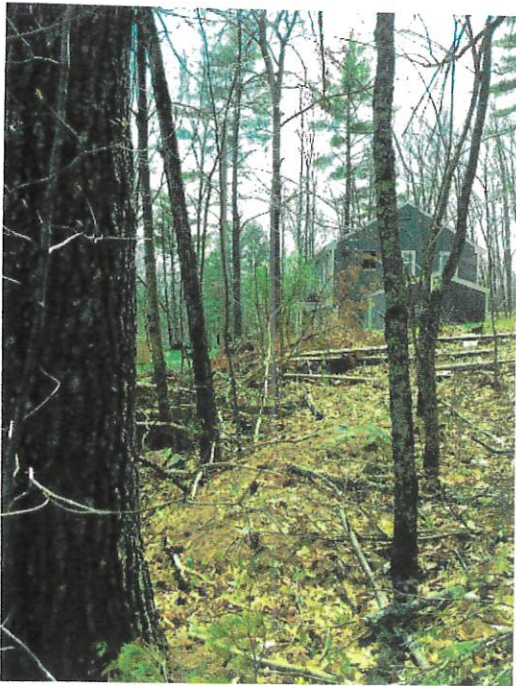


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Picture 15



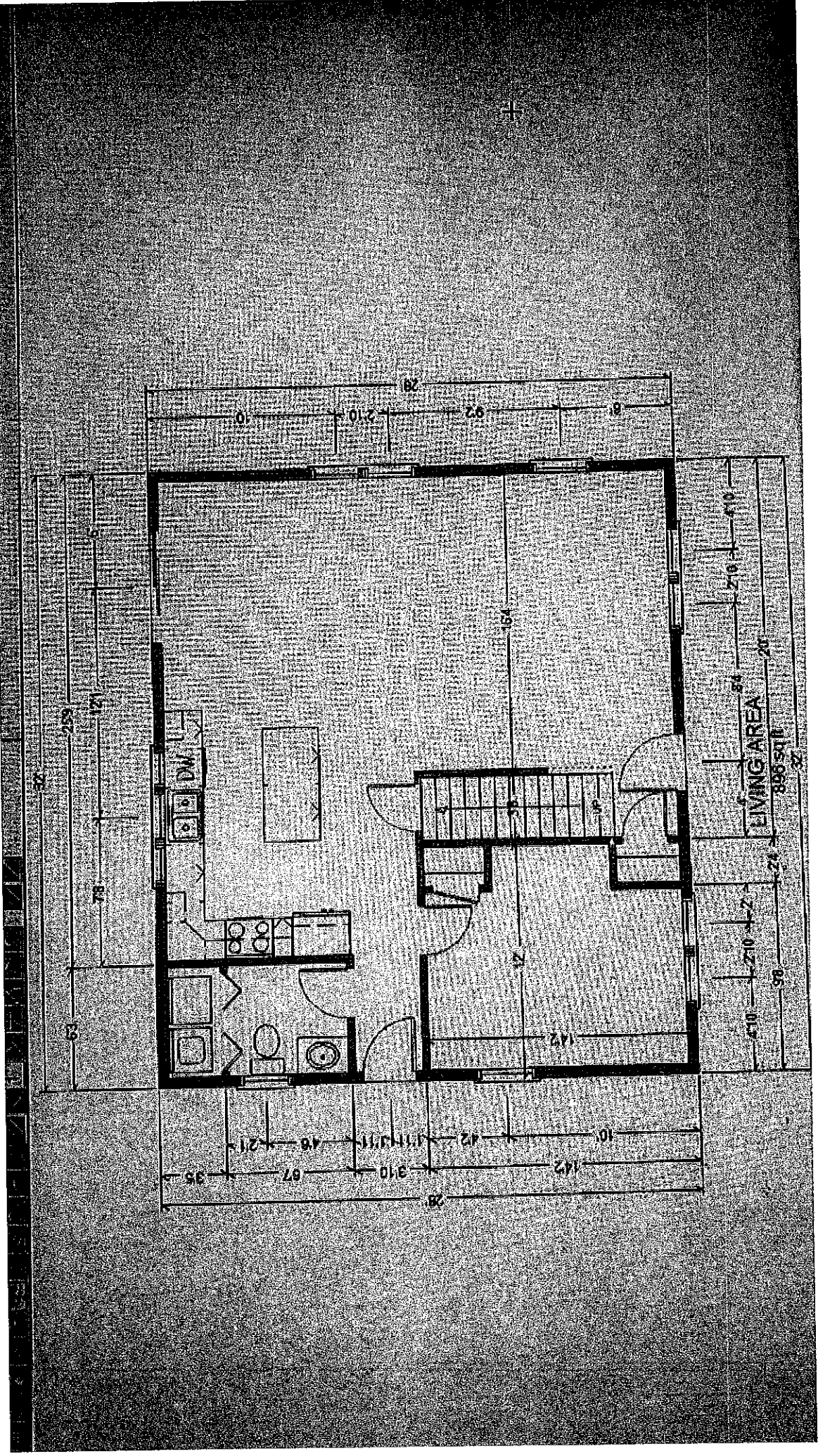
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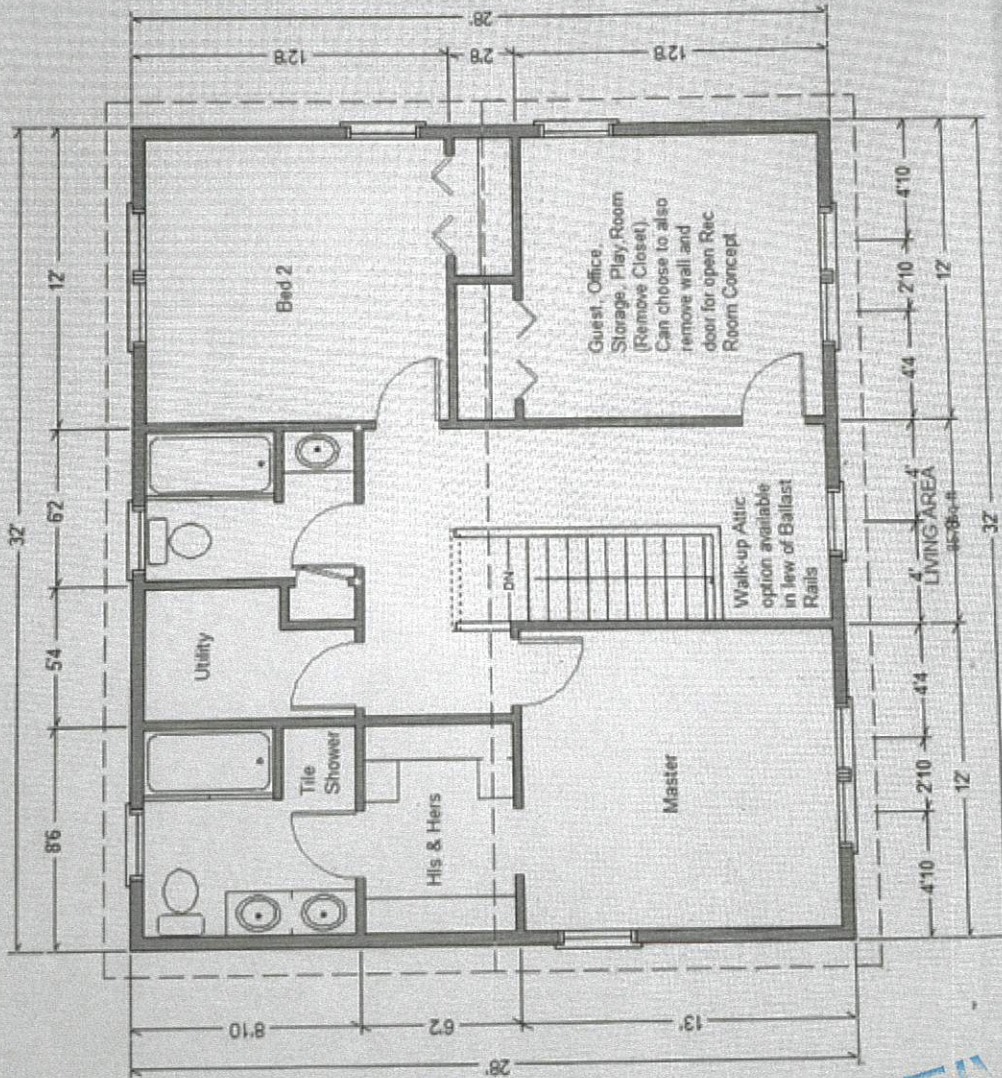
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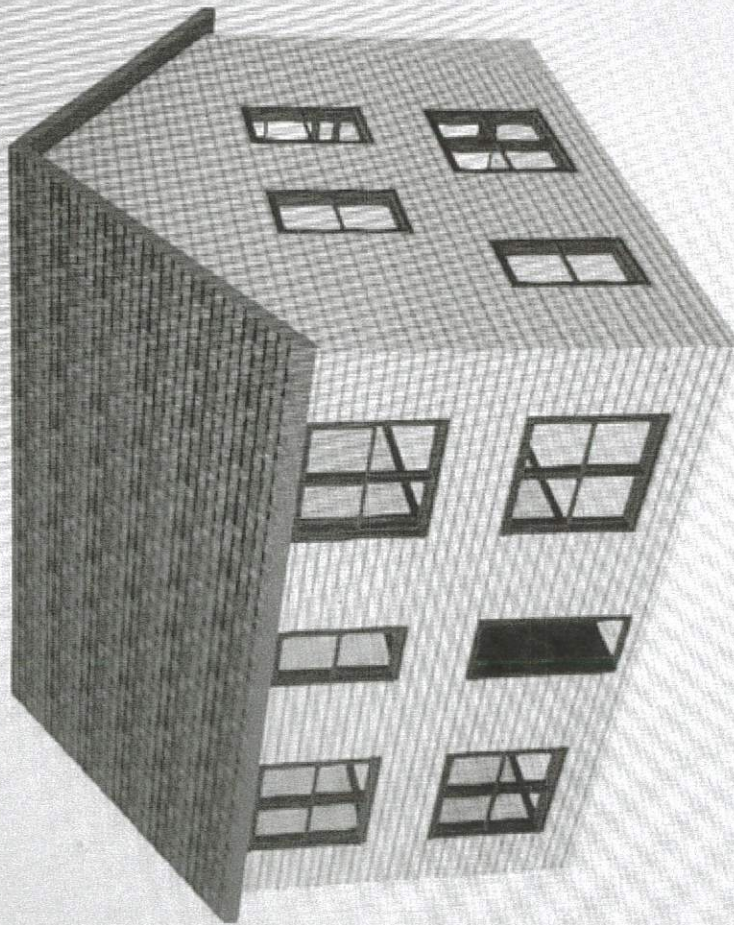
Up One Floor



Floor: 2

Dimension

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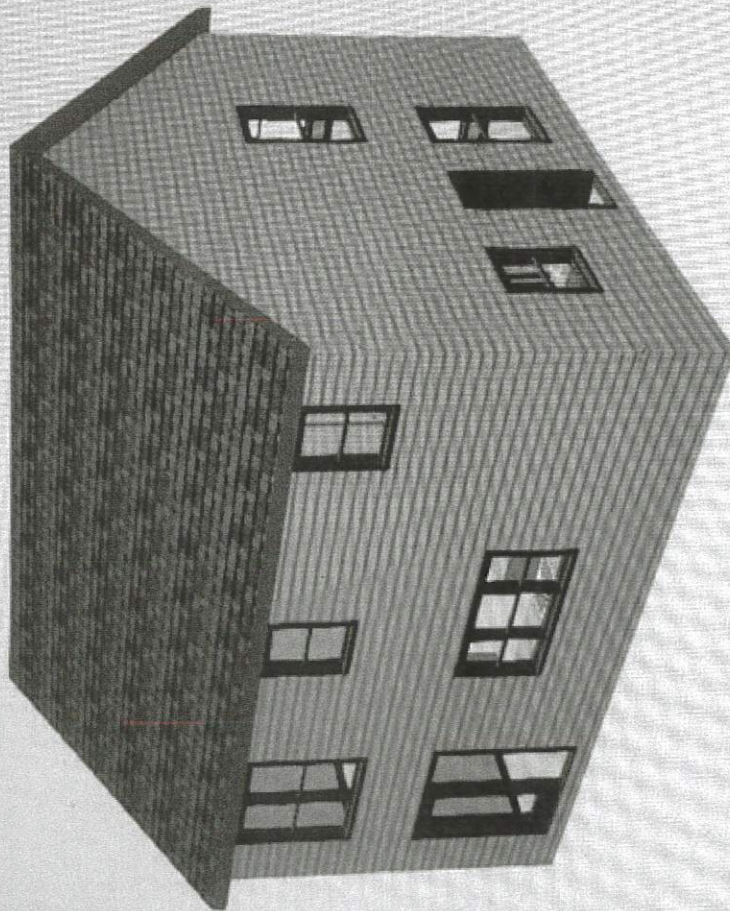


Done: 3843 surfaces

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Done: 3683 surfaces

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